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California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION TWO

FARIDEH SEPEHR,

Plaintiff and Appellant,

v.

THOMAS R. BURRISS,

Defendant and Respondent.

B205073

(Los Angeles County
Super. Ct. No. NC038070)

APPEAL from a judgment of the Superior Court of Los Angeles County.
Patrick T. Madden, Judge. Affirmed.

Farideh Sepehr, in pro. per., for Plaintiff and Appellant.

Ford, Walker, Haggerty & Behar and Maxine J. Lebowitz, for Defendant and
Respondent.

* * * * *

In this dental malpractice case appellant Farideh Sepehr, who appears in propria persona, appeals from the judgment following a jury verdict in favor of respondent Thomas R. Burriss, DDS. On appeal, appellant challenges the trial court's rulings granting respondent's oral motion in limine to preclude evidence of the parties' romantic relationship and permitting one of respondent's expert witnesses to testify out of order and before appellant's presentation of evidence. Because appellant has failed to meet her burden on appeal in several respects, we affirm the judgment.

Rule 8.204 of the California Rules of Court requires all appellate briefs to "[s]upport any reference to a matter in the record by a citation to the volume and page number of the record where the matter appears." (Cal. Rules of Court, rule 8.204(a)(1)(C).) Appellant's briefs are devoid of a single citation to the record, and therefore fail to comply with this mandatory requirement. It is well established that "[i]f a party fails to support an argument with the necessary citations to the record, . . . the argument [will be] deemed to have been waived. [Citation.]" (*Nwosu v. Uba* (2004) 122 Cal.App.4th 1229, 1246.)

Rule 8.204 of the California Rules of Court also requires all appellate briefs to support each point by argument. (Cal. Rules of Court, rule 8.204(a)(1)(B).) Appellant's entire argument as to why the trial court erred in granting the motion in limine is that she believes the motion should have been denied "in the interest of justice." Appellant makes almost no argument as to why the trial court erred in allowing respondent's expert witness to testify out of order, except to say that one cannot unring a bell. In short, she provides no argument at all as to why the trial court's rulings constitute prejudicial error. "When an issue is unsupported by pertinent or cognizable legal argument it may be deemed abandoned and discussion by the reviewing court is unnecessary." (*Landry v. Berryessa Union School Dist.* (1995) 39 Cal.App.4th 691, 699–700.)

Furthermore, rule 8.204 of the California Rules of Court requires all appellate briefs to support each point, if possible, by citation of authority. (Cal. Rules of Court, rule 8.204(a)(1)(B).) The only authority appellant purports to cite is California Code of Judicial Ethics, Canon 3(B)(5), which requires a judge to act impartially. While it is

undisputed that a judge must act with impartiality, appellant has not explained how this rule is relevant to the issues raised here. Nor has appellant cited any pertinent authority to support her position. “We need not consider an argument for which no authority is furnished.” (*Dabney v. Dabney* (2002) 104 Cal.App.4th 379, 384; *Heiner v. Kmart Corp.* (2000) 84 Cal.App.4th 335, 350–351.)

Finally, rule 8.204 of the California Rules of Court requires an appellant’s opening brief to state “the nature of the action, the relief sought in the trial court, and the judgment or order appealed from” (Cal. Rules of Court, rule 8.204(a)(2)(A)), and to provide “a summary of the significant facts limited to matters in the record” (Cal. Rules of Court, rule 8.204(a)(2)(C)). The nature of the case is not clear from appellant’s opening brief and the lack of a copy of the complaint in the appellate record makes this omission all the more significant. Appellant’s summary of significant facts is entirely one-sided and, again, presented without the required citation to the record.

The fact that appellant is appearing in propria persona does not exempt her from these mandatory requirements. Litigants appearing in propria persona are not entitled to special exemptions from the California Rules of Court or Code of Civil Procedure and are held to the same standard as a litigant represented by counsel. (*Gamet v. Blanchard* (2001) 91 Cal.App.4th 1276, 1284; *Nwosu v. Uba, supra*, 122 Cal.App.4th at pp. 1246–1247.)

Because a judgment or order of the lower court is presumed correct, error must be affirmatively shown. (*Denham v. Superior Court* (1970) 2 Cal.3d 557, 564.) In this regard, appellant has failed to meet her burden. Accordingly, the judgment is affirmed.

DISPOSITION

The judgment is affirmed. Respondent is entitled to recover his costs on appeal.

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_____, J.

DOI TODD

We concur:

_____, P. J.

BOREN

_____, J.

ASHMANN-GERST